

OLC - 73-0793

3 July 1973

MEMORANDUM FOR: CIA Management Committee

SUBJECT: H. R. 8152 - Amendment to Title I of the
Omnibus Crime Control and Safe Streets
Act of 1968

1. The subject bill is a basic restatement of the authorities of the Law Enforcement Assistance Administration. On the floor of the House on 18 June 1973, Miss Holtzman offered an amendment which the House then accepted. The amendment is the underlined portion of section 508 quoted below:


The Administration is authorized, on a reimbursable basis when appropriate, to use the available services, equipment, personnel, and facilities of the Department of Justice and of other civilian or military agencies and instrumentalities of the Federal Government, not including the Central Intelligence Agency, and to cooperate with the Department of Justice and such other agencies and instrumentalities in the establishment and use of services, equipment, personnel, and facilities of the Administration.

2. The Senate, on 28 June 1973, was considering a Senate version of the subject bill. Senator Kennedy offered a similar amendment which was adopted. The House and Senate versions are now in conference but with similar amendments. Undoubtedly, section 508 will be approved as amended.

3. The effect of the amendment is to deny the Law Enforcement Assistance Administration the authority to use the services, equipment, personnel and facilities of the Central Intelligence Agency. It would also appear to deny the Law Enforcement Assistance Administration the authority to cooperate with the Central Intelligence Agency in the establishment and use of services, equipment, personnel and facilities of the Law Enforcement Assistance Administration.

4. In the past the Agency has been of assistance to the Law Enforcement Assistance Administration in a number of differing ways, including making available to them the metal traces technique and the explosives detection techniques. In the future all request from the Law Enforcement Assistance Administration will necessarily have to be examined closely in view of the Holtzman/Kennedy amendments. If there are devices or techniques which the Agency develops in the future which would appear to be of interest to the Law Enforcement Assistance Administration, it would seem possible that the Agency could either offer such equipment or knowledge to the Department of Justice or the Federal Bureau of Investigation.

STATINTL


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cc: Legislative Counsel
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